



EX PARTE OR LATE FILED
Federal Communications Commission
Washington, D.C. 20554

CE 92-77

November 15, 1994

RECEIVED
NOV 17 1994
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

The Honorable Bill Zeliff
U.S. House of Representatives
224 Cannon House Office Building
Washington, D.C. 20515

DOCKET FILE COPY ORIGINAL

Dear Congressman Zeliff:

Thank you for your letter on behalf of Gene Charron, Deputy Superintendent, Department of Corrections, Rockingham County, New Hampshire, regarding the Commission's Billed Party Preference (BPP) proceeding. On May 19, 1994, the Commission adopted a Further Notice of Proposed Rulemaking in this proceeding. I have enclosed a copy of the Further Notice and press release accompanying it for your information.

The Further Notice sets forth a detailed cost/benefit analysis of BPP. This analysis indicates, based on the available data, that the benefits of BPP to consumers would exceed its costs. The Further Notice sought comment on this analysis and asked interested parties to supplement the record concerning the costs and benefits of BPP. The Further Notice also invited parties to recommend alternatives to BPP that could produce many of the same benefits at a lower cost. Reply comments were due September 14, 1994. Presently, the Commission is evaluating the comments submitted and considering the implementation of BPP along with other options.

The Further Notice also explicitly sought comment on whether correctional facility telephones should be exempt if BPP is adopted. Specifically, the Further Notice sought additional information on the effectiveness and costs of controlling fraud originating on inmate lines with or without BPP. The Further Notice also sought comment on a proposal to exempt prison telephones from BPP if the operator service provider adheres to rate ceilings for inmate calling services.

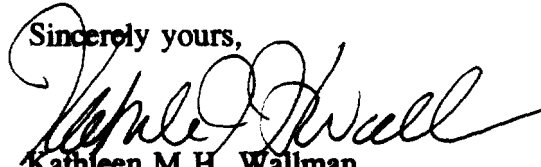
BPP would not preclude prison officials from blocking or limiting inmate calls to specific telephone numbers in order to prevent threatening and harassing calls. Moreover, BPP would not affect the ability of prison officials to limit inmates to collect calling or to program telephone equipment at the prison site to block certain numbers.

No. of Copies rec'd 2
List A B C D E

The Honorable Bill Zeliff
Page 2

Thank you for your interest in this proceeding. I can assure you that the Commission will carefully examine all of the comments submitted in response to the Further Notice, including additional empirical data regarding the costs and benefits of implementing BPP and the impact of BPP on telephone service from correctional facilities.

Sincerely yours,



Kathleen M.H. Wallman
Chief
Common Carrier Bureau

Enclosures

WILLIAM H. ZELIFF, JR.
1ST DISTRICT, NEW HAMPSHIRE

224 CANNON HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515-2901
(202) 225-5456

DISTRICT OFFICES:
340 COMMERCIAL STREET
MANCHESTER, NH 03101
(603) 669-6330

801 SPAULDING TURNPIKE
SUITE 28
PORTSMOUTH, NH 03801
(603) 433-1601

TOLL FREE IN NEW HAMPSHIRE
1-800-649-7290



**Congress of the United States
House of Representatives
Washington, DC 20515-2901**

CHAIRMAN, REPUBLICAN TASK FORCE ON
TAX POLICY AND JOB CREATION

COMMITTEE ON
GOVERNMENT OPERATIONS

SUBCOMMITTEE:
RISING REPUBLICAN,
EMPLOYMENT, HOUSING,
AND AVIATION

COMMITTEE ON PUBLIC WORKS
AND TRANSPORTATION

SUBCOMMITTEE:
SURFACE TRANSPORTATION
WATER RESOURCES
INVESTIGATIONS AND OVERSIGHT

COMMITTEE ON
SMALL BUSINESS

SUBCOMMITTEE:
SBA, LEGISLATION AND
THE GENERAL ECONOMY

October 17, 1994

The Honorable Reed Hundt
Chairman
Federal Communications Commission
1919 M Street, N.W.
Washington, DC 20554

Dear Chairman Hundt:

I am writing on behalf of my constituent, Mr. Gene Charron, who is concerned about a proposal (CC Docket No. 92-77) to route telephone calls via the carrier chosen by the party paying for the call, referred to as Billed Party Preference (BPP).

As Deputy Superintendent of the Rockingham County, New Hampshire, Department of Corrections, Mr. Charron has first-hand experience on the potential for telephone abuse by inmates. I believe that he makes some very strong arguments that BPP will exacerbate the problem of containing this fraud, harassment and abuse.

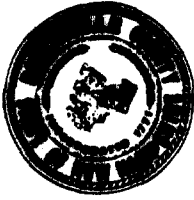
For your review, I am enclosing a copy of Mr. Charron's letter and accompanying comments. Thank you for your time and consideration in this matter.

Sincerely,

Bill Zelf
Bill Zelf

Member of Congress

WHZ;mp2



Rockingham County

DEPARTMENT OF CORRECTIONS

99 North Rd.
Brentwood, N.H. 03833

PATRICIA M. DONOVAN
Superintendent

603-679-2244

RECEIVED

SEP 13 1994

Congressman Bill Zeliff
Washington DC 20515

Congressman
William Zeliff
224 Cannon Office Bldg.
Washington, D.C. 20515

Sept. 06, 1994

Dear Congressman Zeliff:

Enclosed is a copy of my comments in reference to
"Billed Party Reference" CC Docket No. 92-77. I am very
concerned if this is passed.

It is important, that penal facilities retain control of
their phone systems, and by doing so, assure as best we can,
public safety. As I have expressed, there are many examples
of phone abuse by the inmate population. Whether it be third
party billing, credit card scams or threatening victims etc.
The fact is, the public will pay, including you and I.

I would sincerely appreciate your support in making sure
that penal facilities remain in control of the phone systems.
It has also provided us with revenue which we need. But as I
mentioned, my main focus is the abuse that the inmate
population has created, and will continue to create more so
with the passage of BPP. Except it will be on a grand scale.

Sincerely,

Gene P. Charron
Deputy Superintendent

Record #	Log #
Sub. Code	Text
Initials	<i>mhp</i>

**Before the
Federal Communications Commission
Washington, D.C. 20554**

**In the matter of
Billed Party Preference
For 0+ InterLATA Calls**

CC Docket 92-77

**COMMENTS OF:
ROCKINGHAM COUNTY
DEPARTMENT OF CORRECTIONS
BRENTWOOD, NH 03033**

**Deputy Superintendent
Gene P. Charron**



Rockingham County

DEPARTMENT OF CORRECTIONS

99 North Rd.

Brentwood, N.H. 03833

PATRICIA M. DONOVAN
Superintendent

603-679-2244

September 04, 1994

The Honorable Reed Hundt
Federal Communications Commission
1919 M Street N.W.
Washington, D.C. 20554

Honorable Hundt:

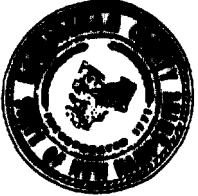
I wish at this time to express vehemently, to BPP. As an administrator of this facility, one of my responsibilities is Communications. I can't begin to tell you of the frustration as well as aggravation when it comes to inmate phone calls.

You need only listen to victims of crimes, who have been threatened, jurist, attorney's, parents and police. I have the ability now to block numbers with a written request from the complainant. Since I have been able to do so, the complaints have dropped.

I am absolutely astonished at a statement made by MCI. They feel that fraud is minimal in the penal institutions. It only shows that MCI does not have a grasp of what is going on. I tried MCI for 1 year, based on potential revenue. But more so, their assurance, of providing maximum security by preventing fraud by the inmates. They were never able to deliver. Needless to say they are no longer our carrier.

Because of fraud, you and I are personally paying for their obsession of breaking the law. The public deserves more. It is rather embarrassing for institutions such as mine to find out that inmates were able to acquire services and or goods with fraudulent use of the phones.

We had an inmate who had a way of connecting to a satellite making calls anywhere and everywhere. Third party billing, another problem.



Rockingham County

DEPARTMENT OF CORRECTIONS

99 North Rd.

Brentwood, N.H. 03833

PATRICIA M. DONOVAN
Superintendent

603-679-2244

The passage of BPP, in reality creates "Open Season" on the public. An inmate should not be allowed to continue to break the laws while he/she is incarcerated.

The passage of BPP is a major step backwards as far as I am concerned. Without the inmate phones as we know it, it will create a hardship, not only in my facility, but all the others.

Please, do not pass the BPP. It will only benefit the lawbreaker.

Sincerely,

Gene P. Charron
Deputy Superintendent